

## CALIFORNIA ENERGY COMMISSION

1016 NINTH STREET  
SACRAMENTO, CA 95814-5512



Mr. E. Ralph Smith  
Department of Energy-Carlsbad Area Office  
P.O. Box 3090, GSA 221  
Carlsbad, NM 88221

March 26, 1998

Dear Mr. Smith:

As you know, questions have been raised by the State of Nevada over the use of State Route 127 in California for future shipments of transuranic waste from the Nevada Test Site to the Waste Isolation Pilot Plant in New Mexico. Attached is the California Highway Patrol's response to these inquiries.

They have concluded that the use of SR-127 for shipments of radioactive materials in quantities greater than Highway Route Controlled Quantities (HRCQ), as defined in 173.403 US Department of Transportation regulations (Title 49 Code of Federal Regulations), is prohibited by statute (31304 VC). However, radioactive material shipments that do not meet this definition are not subject to these restrictions.

If you have any questions, please phone me at 916/654-4861.

Sincerely,

  
Daniel Nix

cc: Bob Loux, State of Nevada  
Ron Ross, Western Governors' Association  
M. J. Padilla, California Highway Patrol

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|-------------------|-------------------|---------|-------------------|------------|---|
| Post-It® Fax Note | 7671              | Date    | 10-13-99          | # of pages | 2 |
| To                | Bud Mittam        | From    | Barbara Byron     |            |   |
| Co./Dept.         | California Rep. 9 | Co.     | Energy Commission |            |   |
| Phone #           | 760-872-0689      | Phone # | 916-654-4976      |            |   |
| Fax #             | 760-872-0678      | Fax #   | 916-654-4420      |            |   |

State of California

Business, Transportation and Housing Agency

**M e m o r a n d u m**

Date: March 16, 1998

To: Daniel Nix  
California Energy Commission  
Executive Office  
1516 Ninth Street, MS36  
Sacramento, CA 95814

From: DEPARTMENT OF CALIFORNIA HIGHWAY PATROL  
Commercial Vehicle Section

File No.: 62.008368.980450

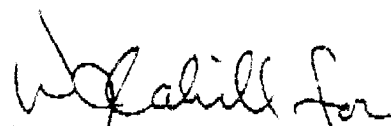
Subject: RAM ROUTING ON SR 127

In response to your fax of March 9, 1998 we have reviewed the State of Nevada's request to use State Route SR-127 in Inyo and San Bernardino Counties for the transportation of Highway Route Controlled Quantity (HRCQ) and non-HRCQ shipments of radioactive materials (RAM). Nevada prefers the route to start at their site near Mercury and travel down US-95 to State Route 373 into California on SR-127. They believe the shipments could travel on Interstate 15 to Interstate 40 then travel east back into Nevada and into New Mexico to the Waste Isolation Pilot Plant.

SR-127 has not been designated as a RAM route by California and due to its configuration in these counties, will not meet the criteria to be designated as an approved route. Therefore, the use of SR-127, or any other non-designated highway in California for the transportation of HRCQ shipments of RAM is prohibited by statute. (31304 VC)

It should be noted that RAM shipments not meeting the definition of HRCQ in 173.403 US Department of Transportation regulations (Title 49 CFR) are not subject to California's routing restrictions.

If you have any questions regarding this matter, please feel free to contact my office at 327-3310.

  
M. J. PADILLA, Captain  
Commander